

DOCKETED

ORIGINAL

48



0000041970

SEP 17 2001

RECEIVED

|             |           |
|-------------|-----------|
| DOCKETED BY | <i>mm</i> |
|-------------|-----------|

September 14, 2001

2001 SEP 17 P 12: 25

Arizona Corporation Commission  
Admin Division - Docket Control  
1200 West Washington  
Phoenix, AZ 85007

AZ CORP COMMISSION  
DOCUMENT CONTROL

*T- 010518-01-0391 Dec. # 63978*

**Re: 010518-01-0391 Qwest CCSAC Access Tariff Filing**

Dear Sirs:

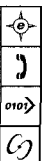
e.spire Communications, Inc., American Communication Services of Pima County, Inc. and ACSI Local Switched Services, Inc. (collectively, "e.spire") respectfully request that the Commission set for hearing the Qwest Access Service Tariff filing which proposes new usage-based SS7 message charges by unbundling Qwest's existing switched access services. For the reasons stated below, e.spire believes such action would be consistent with the public interest.

To allow e.spire to take advantage of operational efficiencies, our company uses the services of Illuminet to provide our SS7 messaging services. Illuminet then connects to other SS7 networks, including that operated by Qwest, and by contract passes through all Qwest SS7 message charges to us. To the extent that Qwest may attempt to assess improper charges under the proposed tariff to our SS7 provider (and, therefore, to e.spire), the interests of our company are real and the economic effects on our company may very well be significant.

e.spire is not opposed to Qwest's efforts to assess, under an intrastate access tariff, SS7 messages that are associated with intrastate end-user toll services we offer since such charges are an integral component of our end-user toll (voice and data) traffic. However, the Commission should not permit Qwest to utilize an intrastate access tariff to assess for SS7 messages that support end user traffic that is jurisdictionally local in nature. Rather, charges for SS7 messages associated with jurisdictionally local traffic (which compromises a significant portion of our traffic) can and should be determined pursuant to the terms of our interconnection agreement ("ICA") with Qwest. Whether our company directly connects to Qwest or chooses to use a third party SS7 provider does not and should not change the conclusion that it is the jurisdiction of the end user traffic that determines whether a tariff or ICA applies to how SS7 messaging associated with that traffic should be treated.

Accordingly, e.spire fully supports Illuminet's position as we understand it to have been outlined to the Commission. Significant public policy decisions must be considered and a full hearing and finding of facts is appropriate with respect to the tariff. Absent such action, e.spire may be faced with inappropriate charges from Qwest that simply add to our cost of doing business to the detriment of the development of a more competitive marketplace.

e.spire Communications, Inc.  
343 West Manhattan Avenue  
Santa Fe, NM 87501  
phone 505.954.4186  
fax 505.954.4190  
www.espire.net



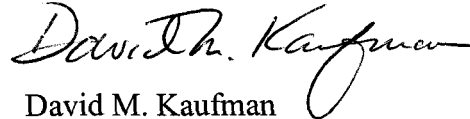
Arizona Corporation Commission

September 14, 2001

Page 2

e.spire therefore respectfully requests the Commission to take whatever steps are necessary to insure that there is a thorough hearing and review before Qwest is given approval to unbundle its SS7 from its intrastate access tariff.

Sincerely,

A handwritten signature in cursive script, reading "David M. Kaufman". The signature is written in dark ink and is positioned above the printed name and title.

David M. Kaufman  
Director of Regulatory Affairs

cc. Richard Wolf, Illuminet  
Maureen Arnold, Qwest